

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
RONALD GALLATIN, M. KENNETH
WITOVER, and JOHN D. CASE, :
:

Plaintiffs, :

- against - :

FOREDESTINE, LLC, , ROBERT I.
SCHULMAN, FOREDESTINE SERIES
FUND, LLC - BROAD MARKET SERIES,
and FOREDESTINE SERIES FUND, LLC
- BROAD MARKET XL SERIES, :

Defendants. :
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THE 2001 FREDERICK DEMATTEIS
REVOCABLE TRUST, and DEMATTEIS
FLP ASSETS, LLC, :

Plaintiffs, :

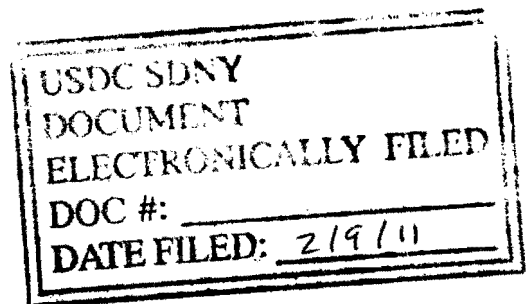
- against - :

FOREDESTINE, LLC, , ROBERT I.
SCHULMAN, FOREDESTINE SERIES
FUND, LLC, and FOREDESTINE SERIES
FUND, LLC - BROAD MARKET Prime
SERIES, :

Defendants. :
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10 Civ. 9226 (TPG)

ORDER



10 Civ. 9228 (TPG)

The parties in these cases have indicated that these matters are related to the consolidated proceedings under docket number 08 Civ. 11117.

Upon review of the complaint, this Court finds that these cases arise out of the same subject matter as the proceedings under 08 Civ. 11117.

By Order dated March 26, 2009, this Court consolidated a number of actions that asserted claims against certain Tremont entities, certain Rye entities, and other defendants, alleging losses ultimately caused by Bernard Madoff. This Court first placed these cases under the master docket, 08 Civ. 11117. The cases were then divided into three groups: (1) cases in which the primary claims are made under the federal securities laws (consolidated for pre-trial proceedings into one "Securities Action" with docket number 08 Civ. 11212), (2) cases in which the claims are based primarily on state law, charging improper investments by partnerships or hedge funds or similar entities (consolidated for pre-trial proceedings into one "State Law Action" with docket number 08 Civ. 11183), and (3) cases in which the claims are based primarily on state law, charging improper investments by insurance companies (consolidated for pre-trial proceedings into one "Insurance Action" with docket number 09 Civ. 557).

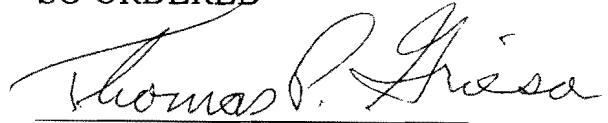
This Order concerns the above-captioned cases, which assert claims against certain Robert Shulman--already a defendant in the Tremont actions--and other defendants, based on violations of the Securities Exchange Act and other common law claims. The Clerk of the Court is therefore directed to consolidate this case with the Securities

Action under docket number 08 Civ. 11212, and upon doing so, to close the docket in the above-captioned case.

Any document hereinafter filed in connection with the above-captioned case must be filed under the master docket, 08 Civ. 11117. The parties are directed to read this Court's Order and Memorandum, both dated March 26, 2009, which can be found under the master docket. These documents prescribe the requirements for future submissions to this Court.

Dated: New York, New York
February 9, 2011

SO ORDERED

A handwritten signature in cursive script, reading "Thomas P. Griesa". The signature is written in dark ink and is positioned above a horizontal line.

Thomas P. Griesa
U.S.D.J.